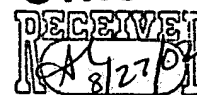


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FAX 212.408.2501
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FROM Gary Abelev, Esq.
DATE August 26, 2002
PAGES 22 (including cover)

VOICE NO. (212) 408-2522
FAX NO. (212) 259-2522
RETURN TO Gary Abelev, Esq.

TO Examiner Patrice L. Winder
USPTO

FAX NO. (703) 746-7239
VOICE NO. (703) 305-3938

MESSAGE

OFFICIAL COMMUNICATION

Re: U.S. Patent Application Serial No. 09/013,490

Dear Examiner Winder:

Attached is the official response for the above-referenced application.

Yours truly,

Gary Abelev.

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NY02:399647.1 Notice of Confidentiality

The information contained in and transmitted with this facsimile is: 1. Subject to the Attorney-Client Privilege; 2. Attorney Work Product; or 3. Confidential. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon it is prohibited. If you have received this facsimile in error, please notify Baker Botts LLP, by telephone at 212.408.2500 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail or, if authorization is granted by the sender, destroyed.

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BAKERBOTTIS LLP**FEE TRANSMITTAL
for FY 2001***Patent fees are subject to annual revision.***TOTAL AMOUNT OF PAYMENT (\$)** 73**Complete if Known**

| | |
|----------------------|----------------------|
| Application Number | 09/013,490 |
| Filing Date | January 26, 1998 |
| First Named Inventor | Alexander TUZHILIN |
| Examiner Name | Patrice L. Winder |
| Group Art Unit | 2155 |
| Attorney Docket No. | A33063 - 087691.0115 |

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number **02-4377**
- Deposit Account Name **Baker Botts LLP**
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|------------------------|----------|
| 710 | 355 | Utility filing fee | |
| 320 | 160 | Design filing fee | |
| 490 | 245 | Plant filing fee | |
| 710 | 355 | Reissue filing fee | |
| 150 | 75 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0**2. EXTRA CLAIM FEES**

Total Claims **49** - 47** = **2** x **9** = **18**

Independent Claims **13** - 13** = **0** x **0** = **0**

Multiple Dependent **0** x **0** = **0**

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|--|----------|
| 18 | 9 | Claims in excess of 20 | |
| 80 | 40 | Independent claims in excess of 3 | |
| 270 | 135 | Multiple dependent claim, if not paid | |
| 80 | 40 | ** Reissue independent claims over original patent | |
| 18 | 9 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$) 18

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|--|----------|
| 130 | 65 | Surcharge - late filing fee or oath | |
| 50 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 130 | 130 | Non-English specification | |
| 2,520 | 2,520 | For filing a request for ex parte reexamination | |
| 920* | 920* | Requesting publication of SIR prior to Examiner action | |
| 1,840* | 1,840* | Requesting publication of SIR after Examiner action | 55 |
| 110 | 55 | Extension for reply within first month | |
| 380 | 195 | Extension for reply within second month | |
| 890 | 445 | Extension for reply within third month | |
| 1,390 | 695 | Extension for reply within fourth month | |
| 1,890 | 945 | Extension for reply within fifth month | |
| 310 | 155 | Notice of Appeal | |
| 310 | 155 | Filing a brief in support of an appeal | |
| 270 | 135 | Request for oral hearing | |
| 1,510 | 1,510 | Petition to institute a public use proceeding | |
| 110 | 55 | Petition to revive - unavoidable | |
| 1,240 | 620 | Petition to revive - unintentional | |
| 1,240 | 620 | Utility issue fee (or reissue) | |
| 440 | 220 | Design issue fee | |
| 600 | 300 | Plant issue fee | |
| 130 | 130 | Petitions to the Commissioner | |
| 50 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 180 | 180 | Submission of Information Disclosure Stmt | |
| 40 | 40 | Recording each patent assignment per property (times number of properties) | |
| 710 | 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 710 | 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 710 | 355 | Request for Continued Examination (RCE) | |
| 900 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 55**SUBMITTED BY**Name (Print/Type) **Gary Abelev**


Registration No. (Patent/Design)

40,479**Complete (if applicable)**Telephone **212.408.2522**Date **August 26, 2002**

Signature


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| | | |
|--|------------------------|----------------------|
| TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small> | Application Number | 09/013,490 |
| | Filing Date | January 26, 1998 |
| | First Named Inventor | Alexander TUZHILIN |
| | Group A/L Unit | 2155 |
| | Examiner Name | Patricia L. Winder |
| Total Number of Pages in This Submission | Attorney Docket Number | A33063 - 067891.0115 |

| ENCLOSURES <small>(check all that apply)</small> | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Clause of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication in Group (Appeal Notice, Petition, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): _____ |
| Remarks <input type="checkbox"/> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or individual name | BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112 |
| Signature |  Att Name: Gary Abelev PTO Reg: 40,479 |
| Date | August 26, 2002 |

| CERTIFICATE OF TRANSMISSION | |
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| I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, Washington, DC 20231 on this date: <u>August 26, 2002</u> | |
| Typed or printed name | Gary Abelev |
| Signature |  Date: August 26, 2002 |

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BAKER BOTTS LLP

Attorney Docket Number: A33063 - 067691.0115

Title:

METHOD AND APPARATUS FOR MONITOR AND NOTIFICATION IN A NETWORK

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